



11

Baxter Docket No. EIP-5568  
W&W Docket No. 1417G P 390 (111237.1)

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): BUI, et al. )  
Serial No. 09/248,057 ) Group Art No.: 3762  
Filed: February 10, 1999 ) Examiner: Jeremy Thissell  
Title: MEDICAL APPARATUS USING )  
SELECTIVE GRAPHICAL INTERFACE )

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)**

Commissioner of Patents  
Washington, D.C. 20231

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TC 3700 HALL ROOM

Dear Sir:

As Assignee of record of the entire interest of the above-identified Application, all Powers  
Of Attorney previously given are hereby revoked and the following attorneys are hereby appointed  
to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Daniel N. Christus	29,626 ✓	Paul J. Nykaza	38,984 ✓
Linda A. Kuczma	30,861 ✓	Edward L. Bishop	39,110 ✓
Roger H. Stein	31,882 ✓	James P. Muraff	39,785 ✓
Thomas K. Stine	32,310 ✓	Austin J. Foley	42,543 ✓
James J. Jagoda	33,250 ✓	Matthew J. Gryzlo	43,648 ✓
Micheal D. Lake	33,727 ✓	Peter M. Klobuchar	43,722 ✓
Joseph A. Fuchs	34,604 ✓	Brent A. Hawkins	44,146 ✓
Robert W. Diehl	35,118 ✓	William A. Lenz	44,208 ✓
Bradley F. Rademaker	35,331 ✓	Christopher S. Clancy	44,618 ✓
Richard C. Himelhoch	35,544 ✓	Michael K. Nutter	44,979 ✓
Monique A. Morneault	37,893 ✓	Joseph M. Kinsella Jr.	45,743 ✓
Jeffrey R. Gargano	38,148 ✓	Francis C. Kowalik	34,646 ✓
Mark J. Buonaiuto	31,593 ✓	Jeffrey C. Nichols	36,879

Send correspondence and direct telephone calls to:

Francis C. Kowalik, Esq.  
Corporate Counsel, Law Department  
Baxter International Inc.  
One Baxter Parkway, DF2-2E  
Deerfield, IL 60015  
(847) 948-3041  
(847) 948-3393 (Facsimile)

Ownership by the Assignee is established as follows:


An assignment, copy attached, was recorded in the U.S. Patent & Trademark Office on February 11, 2000 on Reel 010589, Frame 0790..

### ASSIGNEE CERTIFICATION

Attached to this Power is a "Certificate Under 37 C.F.R. § 3.73(b)."

BAXTER HEALTHCARE CORPORATION

Date: December 6, 2000

  
\_\_\_\_\_  
Name: Jan Stern Reed  
Secretary

FCM



Baxter Docket No. EIP-5568  
W&W Docket No. 1417G P 390 (111295.1)

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): BUI, et al. )  
Serial No. 09/248,057 ) Group Art No.: 3762  
Filed: February 10, 1999 ) Examiner: Jeremy Thissell  
Title: MEDICAL APPARATUS USING )  
SELECTIVE GRAPHICAL INTERFACE )

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**  
**ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The Assignee of the entire right, title and interest hereby seeks to take action in the U.S. Patent and Trademark Office in this matter.

**Identification of Assignee**

BAXTER HEALTHCARE CORPORATION  
Name of Assignee

Corporation  
Type of assignee, e.g., corporation, partnership, university, government agency, etc.

**Person Authorized to Sign**

Jan Stern Reed  
Name  
Secretary  
Title of person authorized to sign

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TC 3700 MAIL ROOM

I, the person signing below, aver that I am empowered to sign this statement on behalf of the Assignee.

### **Basis of Assignee's Interest**

Ownership by the Assignee is established as follows:


An assignment, copy attached, was recorded in the U.S. Patent & Trademark Office on February 11, 2000, on Reel 010589, Frame 0790.

### **Declarations**

I, the undersigned, have reviewed all the documents in the chain of title of the patent Application matter identified above and, to the best of my knowledge and belief, title is in the Assignee identified above.

I, hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: December 6, 2000

  
Name Jan Stern Reed *JSR*

Secretary  
Title of person authorized to sign

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MAY 24 2000

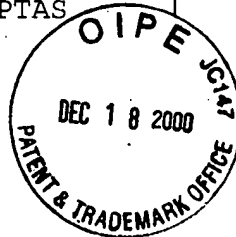
Wallenstein & Wagner, Ltd.

MAY 08, 2000

WALLENSTEIN & WAGNER, LTD.  
MONIQUE A. MORNEAULT, ESQ.  
311 SOUTH WACKER DRIVE - 5300  
CHICAGO, IL 60606



PTAS



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*101289405A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/11/2000

REEL/FRAME: 010589/0790  
NUMBER OF PAGES: 10

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

SABRATEK CORPORATION

DOC DATE: 01/19/2000

**ASSIGNEE:**

BAXTER HEALTHCARE CORPORATION  
ONE BAXTER PARKWAY  
DEERFIELD, ILLINOIS 60015

SERIAL NUMBER: 09092670  
PATENT NUMBER:

FILING DATE: 06/05/1998  
ISSUE DATE:

SERIAL NUMBER: 09219664  
PATENT NUMBER:

FILING DATE: 12/23/1998  
ISSUE DATE:

SERIAL NUMBER: 09248492  
PATENT NUMBER:

FILING DATE: 02/10/1999  
ISSUE DATE:

SERIAL NUMBER: 09152573  
PATENT NUMBER:

FILING DATE: 09/14/1998  
ISSUE DATE:

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**TO DOCKETING**

SERIAL NUMBER: 09240523  
PATENT NUMBER:

FILING DATE: 01/29/1999  
ISSUE DATE:

SERIAL NUMBER: 09272502  
PATENT NUMBER:

FILING DATE: 03/19/1999  
ISSUE DATE:

SERIAL NUMBER: 09206075  
PATENT NUMBER: 6053887

FILING DATE: 12/04/1998  
ISSUE DATE: 04/25/2000

SERIAL NUMBER: 09248057  
PATENT NUMBER:

FILING DATE: 02/10/1999  
ISSUE DATE:

SERIAL NUMBER: 09281236  
PATENT NUMBER:

FILING DATE: 03/30/1999  
ISSUE DATE:

SERIAL NUMBER: 08436757  
PATENT NUMBER: 5528619

FILING DATE: 05/08/1995  
ISSUE DATE: 06/18/1996

SERIAL NUMBER: 08399183  
PATENT NUMBER: 5620312

FILING DATE: 03/06/1995  
ISSUE DATE: 04/15/1997

SERIAL NUMBER: 08150551  
PATENT NUMBER: 5395320

FILING DATE: 11/09/1993  
ISSUE DATE: 03/07/1995

SERIAL NUMBER: 08398887  
PATENT NUMBER: 5795327

FILING DATE: 03/06/1995  
ISSUE DATE: 08/18/1998

SERIAL NUMBER: 08398977  
PATENT NUMBER: 5637093

FILING DATE: 03/06/1995  
ISSUE DATE: 06/10/1997

SERIAL NUMBER: 29035765  
PATENT NUMBER: D380260

FILING DATE: 03/06/1995  
ISSUE DATE: 06/24/1997

SERIAL NUMBER: 08815158  
PATENT NUMBER: 5766155

FILING DATE: 03/11/1997  
ISSUE DATE: 06/16/1998

SERIAL NUMBER: 08691872  
PATENT NUMBER: 5807336

FILING DATE: 08/02/1996  
ISSUE DATE: 09/15/1998

SERIAL NUMBER: 08398980  
PATENT NUMBER: 5683367

FILING DATE: 03/06/1995  
ISSUE DATE: 11/04/1997

SERIAL NUMBER: 29035766  
PATENT NUMBER: D376848

FILING DATE: 03/06/1995  
ISSUE DATE: 12/24/1996

SERIAL NUMBER: 08801511  
PATENT NUMBER: 5791880

FILING DATE: 02/18/1997  
ISSUE DATE: 08/11/1998

SERIAL NUMBER: 08951976  
PATENT NUMBER: 5885245

FILING DATE: 10/16/1997  
ISSUE DATE: 03/23/1999

SERIAL NUMBER: 08703543  
PATENT NUMBER: 5895371

FILING DATE: 08/27/1996  
ISSUE DATE: 04/20/1999

010589/0790 PAGE 3

SERIAL NUMBER: 08398886  
PATENT NUMBER: 5904668

FILING DATE: 03/06/1995  
ISSUE DATE: 05/18/1999

SERIAL NUMBER: 08583468  
PATENT NUMBER: 5943633

FILING DATE: 01/05/1996  
ISSUE DATE: 08/24/1999

SERIAL NUMBER: 09010918  
PATENT NUMBER: 5993420

FILING DATE: 01/22/1998  
ISSUE DATE: 11/30/1999

LAWAN FLETCHER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

03-15-2000

Packet No.: 1417G W 358



HEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

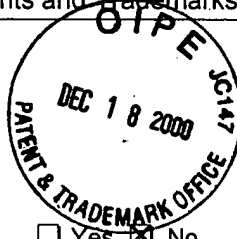
101289405

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FEB 11 2000

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
**SABRATEK CORPORATION**



Additional names(s) of conveying party(ies)

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: **BAXTER HEALTHCARE CORPORATION**

Internal Address: \_\_\_\_\_

Street Address: **One Baxter Parkway**

City: **Deerfield** State: **IL** ZIP: **60015**

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other \_\_\_\_\_

Execution Date: **January 19, 2000**

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

09/092,670      09/152,573      09/206,075  
09/219,664      09/240,523      09/248,057  
09/248,492      09/272,502      09/281,236

5,528,619      5,637,093      5,683,367  
5,620,312      D380,260      D376,848  
5,395,320      5,766,155      5,791,880  
5,795,327      5,807,336      5,885,245

Additional numbers attached? ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **WALLENSTEIN & WAGNER, LTD.**

Internal Address: **Attn: Monique A. Morneault, Esq.**

Street Address: **311 South Wacker Drive - 5300**

City: **Chicago** State: **IL** ZIP: **60606**

6. Total number of applications and patents involved: **25**

7. Total fee (37 CFR 3.41):.....\$ **1,000.00**

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

**23-0280**

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03/14/2000 DNGUYEN 00000045 09092670

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01 FC:581 1000.00 OP

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

**Monique A. Morneault**

Name of Person Signing

*Monique A. Morneault*

Signature

**February 4, 2000**

Date

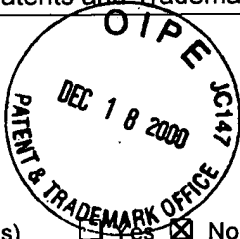
Total number of pages including cover sheet, attachments, and document: **1**

**PATENTS ONLY**

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
**SABRATEK CORPORATION**



Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: **January 19, 2000**

2. Name and address of receiving party(ies):

Name: **BAXTER HEALTHCARE CORPORATION**

Internal Address: \_\_\_\_\_

Street Address: **One Baxter Parkway**

City: **Deerfield** State: **IL** ZIP: **60015**

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

continued:

5,895,371 5,943,633  
5,904,668 5,993,420

Additional numbers attached? ☒ Yes ☐ No

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5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **WALLENSTEIN & WAGNER, LTD.**

Internal Address: **Attn: Monique A. Morneault, Esq.**

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☐ Authorized to be charged to deposit account

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**23-0280**

DO NOT USE THIS SPACE

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To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

**Monique A. Morneault**

Name of Person Signing

*Monique A. Morneault*

Signature

**February 4, 2000**

Date

Total number of pages including cover sheet, attachments, and document: **3**

## PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT ("Assignment") is made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2000 ("Effective Date"), by and between Sabratek Corporation, a Delaware corporation, with its principal office at 8111 North St. Louis Avenue, Skokie, Illinois 60076 ("Assignor"), and Baxter Healthcare Corporation, a Delaware corporation, with its principal office at One Baxter Parkway, Deerfield, Illinois 60015 ("Assignee").

WHEREAS, Assignor and Assignee are parties to that certain Asset Purchase Agreement dated as of December 17, 1999 ("Asset Agreement"), pursuant to which Assignor has agreed to sell and Assignee has agreed to purchase the assets, properties and rights pertaining to the Business as defined in the Asset Agreement;

WHEREAS, Assignor is the sole and exclusive owner of the entire right, title and interest in, to and under those United States patents and patent applications identified and set forth on Schedules A and B respectively, and the foreign patents and patent applications identified and set forth on Schedule C (the "Patents"); and

WHEREAS, Assignee wishes to acquire and Assignor wishes to assign all right, title and interest in and to the Patents.

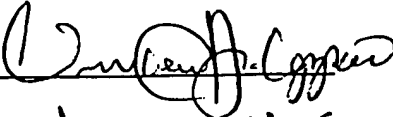
NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign, transfer and set over to Assignee, the entire right, title and interest in and to the Patents, for the United States and for all foreign countries, including any continuations, divisions, continuations-in-part, reissues, reexaminations, extensions or foreign equivalents thereof, and including the subject matter of all claims which may be obtained therefrom for its own use and enjoyment, and for the use and

enjoyment of its successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made; together with all income, royalties, damages or payments due or payable as of the Effective Date or thereafter, including, without limitation, all claims for damages by reason of past, present or future infringement or other unauthorized use of the Patents, with the right to sue for, and collect the same for its own use and enjoyment, and for the use and enjoyment of its successors, assigns, or other legal representatives. Assignor requests the Commissioner of Patents and Trademarks to record Assignee as the assignee and owner thereof.

\*\*\*\*\*

IN TESTIMONY WHEREOF, the Assignor and Assignee have caused this Assignment to be signed and executed by the undersigned officers thereunto duly authorized this \_\_\_\_\_ day of \_\_\_\_\_, 2000.


SABRATEK CORPORATION

By: 

Name: Vincent J. Capponi

Title: \_\_\_\_\_

BAXTER HEALTHCARE CORPORATION

By: 

Name: John F. Gaither, Jr.

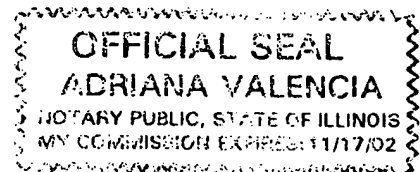
Title: Vice President

STATE OF )  
 ) SS.  
COUNTY OF )

On this 19<sup>TH</sup> day of January, 2000, there appeared before me VINCENT CAPPONI, personally known to me, who acknowledged that he signed the foregoing Assignment as his voluntary act and deed on behalf and with full authority of Sabratek Corporation.

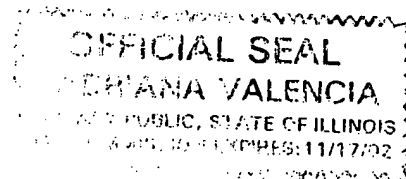
Adriana Valencia  
Notary Public

STATE OF )  
 ) SS.  
COUNTY OF )



On this 19<sup>TH</sup> day of January, 2000, there appeared before me VINCENT CAPPONI, personally known to me, who acknowledged that he signed the foregoing Assignment as his voluntary act and deed on behalf and with full authority of Baxter Healthcare Corporation.

Adriana Valencia  
Notary Public

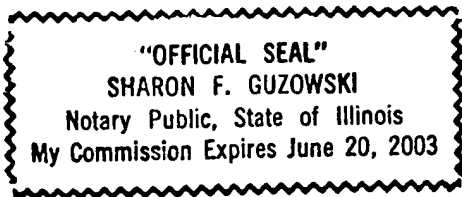


State of Illinois )  
 ) SS:  
County of Lake )

Before me, a Notary Public, in this day personally appeared John F. Gaither, Jr., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 21<sup>st</sup> day of January, 2000.

Notary Seal



Sharon F. Guzowski  
Notary Public  
My Commission Expires: 6-20-2003

JPB

## SCHEDULE A

### U.S. PATENTS

Title	Patent No.	Filing Date	Issue Date
Power Saving Features	5628619	3/6/95	5/13/97
Backlight	5637093	3/6/95	6/10/97
Different Operating Modes	5683367	3/6/95	11/4/97
Dual Latching Mechanism	5620312	3/6/95	4/15/97
Pump Design	D380260	3/6/95	6/24/97
Cassette Design	D376848	3/6/95	12/24/96
Programmable infusion pump with interchangeable tubing	5395320	11/9/93	3/7/95
Infusion pump with selective back light	5766155	3/11/97	6/16/98
Infusion pump having power saving modes	5791880	2/18/97	8/11/98
Infusion pump with historical data	5795327	3/6/95	8/18/98
Apparatus for monitoring and/or controlling a medical device	5807336	10/16/97	9/15/98
Remote virtual input device	5885245	8/2/96	3/23/99
Medical treatment apparatus and method	5895371	8/27/96	4/20/99
Cassette for an infusion pump	5904668	3/6/95	5/18/99
Automatic infusion pump tester	5943633	1/5/96	8/24/99
Cassette for infusion pump	5993420	1/22/98	11/30/99

## SCHEDULE B

### US PATENT APPLICATIONS

Title	Application No.	File Date
Infusion pump with historical data recording	09/092670	6/5/98
Monitoring/controlling medical device	09/152573	9/14/98
Medical treatment apparatus method	09/206075	12/4/98
Emergency communications BUI et al. M/A for providing patient care	09/219664	12/23/98
Apparatus and method for the accurate placement of biomedical sensors	09/240523	1/29/99
Medical apparatus using selective graphical interface selective display	09/248057	2/10/99
M/A for automatically controlling the level of medication	09/248492	2/10/99
Remote medical apparatus with virtual input device	09/272502	3/19/99
Unitary molded elastomer conduit for use with a medical infusion pump	09/281236	3/30/99

# SCHEDULE C

## FOREIGN PATENTS

Country	Title	App./Patent No.	File Date
Germany	Cassette Design	Des 1002708	3/6/95
Japan	Cassette Design	Des M9507112.1	8/31/95
Europe	Infusion Pump	92924337.6	11/5/92
Europe	Cassette Functionality	96908660-2	3/6/96
Japan	Cassette Functionality	08-527013	9/7/97
Europe	Automatic Pump Tester	96944482.7	6/29/98 12/23/96
Japan	Automatic Pump Tester	525.226/1997	12/23/96

Aust.      Prog. Int. Pump ...      AU-B-30682/92 11/5/92

*DC*  
initial.

*JR*